

**BOROUGH OF WIND GAP
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The Council meeting of the Borough of Wind Gap on Tuesday, November 18, 2008, was called to order at 7:30 p.m. by Council President, Scott Parsons, at which time he reminded those present that the meeting was being recorded. In attendance were Councilpersons: Jon Faust, George Hinton, Joe Weaver and Tony Curcio. Also in attendance was Borough Administrator Louise Firestone. Absent were Mayor Mitchell D. Mogilski, Sr. and Councilmen Todd Beil and Kerry Gassler.

PUBLIC COMMENT

No one appeared before Council at this time.

COMMITTEE APPOINTMENTS

1. EMS – Kerry Gassler was absent. Jon Faust reported that the ambulance corps. would be meeting tomorrow, Wednesday, November 19, 2008 for election of officers.
2. Police – George Hinton reported that the Police are participating in the Smooth Operator enforcement. Scott stated that the Police Chief informed him that George was informed about the alternator and maybe there was miscommunication regarding the repair to the old police cruiser. Jon added that the alternator was replaced in 2003. George replied that he may have been informed, but this repair took place back in June of this year.
On motion by George Hinton to pay the repair bill submitted by Bob Gardner's Towing in the amount of \$487.52 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.
3. Sewer Authority – Scott Parsons reported that the Sewer Authority has a full board since Barry Cortez was appointed to the board.
4. Fire Company – Jon Faust reported that the fire company responded to 14 calls in October for a total of 178 calls in 2008. George added that the fire company is getting more members.
5. Streets – George Hinton reported that the street workers are collecting leaves almost everyday. The 30 m.p.h. speed limit signs have been refaced and installed. Brian Pysher, Borough Engineer, contacted PennDOT to request another copy of the drawing specifying the exact location where the signs should be placed. Once the drawing is received, Brian will do the fieldwork and new poles will be erected and the signs will be placed on the poles. Scott asked if the digital signs that flash the speed should be used. Jon stated that Pen Argyl and Bushkill have used these signs, Bushkill owns their sign. George will contact Bushkill. Scott asked if the leaves could be picked up in the alleys in the Borough.
6. Zoning – Tony Curcio reported there were no applications submitted for December so no meeting will be held.

7. Planning – Scott Parsons reported that the Planning Commission met on Thursday, November 6, 2008. They made a recommendation for the additional residential uses to the I-ME Zoning District. They will wait for Lehigh Valley Planning Commissions comments. Scott stated that Ron Karasek suggested limiting the uses that are allowed to possibly just senior housing. This can be discussed during the hearing.
8. Parks & Recreation – Joe Weaver reported that the park board met for the last time this year. They did discuss the summer sounds for next year. Joe Gennusa attended the meeting and stated that the Wind Gap AA is looking to remodel/rebuild or tear down the batting cage building. Joe Gennusa asked if a building permit is required, but Joe Weaver suggested that Council could waive the permit fee because it is Borough property. George asked that the Wind Gap Athletic Association provide the Borough with a good construction plan.
9. 911 – Tony Curcio reported that Ron Karasek, Borough Solicitor, further investigated the two frequencies up for renewal. There is a tower on the Oswald farm up from Gracedale, and it was for point to point microwave and that is what these frequencies are about. Bob Landis, Tu-Way Communications, investigated and his recommendation is not to renew these frequencies. The entire system was decommissioned in 1999 or 2000. George asked if there is any value to these frequencies. Tony replied that if it is not renewed, it will be lost and upon the recommendation of Mr. Landis the borough could let it run out. George stated that he had a conversation with Keith Lysek, and he recalls that the airwaves could be of some value to the borough. Tony believes that the Borough could not sell it to anyone since the FCC controls it. George suggested that Tony contact Keith and Tony agreed.
10. Buildings and Properties – Jon Faust had nothing to report.
11. Finance – Louise Firestone had nothing to report.

MAYOR'S REPORT

Mayor Mogilski was absent. Scott stated that all present received a copy of the monthly police report.

NEW BUSINESS

1. Acceptance of Councilman Todd Beil's resignation. Todd has not signed the letter of resignation that was sent to him. Scott referenced section 904 of the Borough Code, which reads, "Right of Council to Declare Seat of Member Vacant for Failure to Attend Meetings, Etc. – If any person, having qualified as a member of council, shall neglect or refuse to attend two successive regular meetings unless detained by sickness, or prevented by necessary absence from the borough, or if in attendance at any meetings shall neglect or refuse to vote or by withdrawal from council or otherwise refuse to act in the person's official capacity as a member of council, the borough council, acting without such person, may declare the person's office as a member of council vacant, and may fill such vacancy as provided in section 901 of this act. For such actions a majority of the remaining members of the council shall constitute a quorum. No such office shall be declared vacant for failure to attend meetings of the council until the holder thereof shall have been given opportunity of hearing before the remaining members of the council, at which time he shall show cause why he shall not be removed. He shall be given at least ten days' written notice of the time and place of such hearing".

On motion by George Hinton to have the above letter hand delivered by the Police Chief and seconded by Joe Weaver. Roll call vote taken. Motion carried unanimously.

OLD BUSINESS

1. 2009 Budget. All Council has had a chance to review the budget. The Assessment of the Borough went down from the previous year which reduces the amount of real estate tax forecasted for 2009. Louise stated that the budgeted amount for 2008 from the Waste Management tipping fees was \$75,000 and the actual amount received was a little over \$90,000. She suggested that the \$15,000 overage be carried to 2009 in order to minimize the amount of tax increase. The 2009 budget currently would have to include a half mill increase to balance the budget. After much discussion, Council agreed to place this item on the December 1, 2008 agenda. Council has to advertise the proposed budget for ten business days so a decision must be made at that meeting or a special meeting will have to be scheduled.
2. George Hinton reported that a meeting is scheduled for Tuesday, November 25, 2008 with street workers and the teamster representative to discuss their contract.
3. Scott Parsons informed those present that Attorney Dwight Danser will be attending the December 1, 2008 Council meeting to update Council on the County Bond Issue. This will be discussed prior to the meeting in Executive Session at 6:30 p.m.

On motion by Tony Curcio to adjourn the meeting of November 18, 2008. Council agreed unanimously. The meeting of November 18, 2008 adjourned at 8:13 p.m.

Louise Firestone, Borough Administrator